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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

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9 FELISES BURTON,

10 Plaintiff,

11 vs.

12 PREFERRED PROPERTIES, et al.,

13 Defendants.
14 _____

2:09-CV-00074-PMP-LRL

ORDER

15 Before the Court for consideration is Plaintiff Burton's Application to
16 Proceed *In Forma Pauperis* and a Complaint (Doc. #2), filed on January 12, 2009. On
17 December 15, 2009, the Honorable Lawrence R. Leavitt United States Magistrate
18 Judge, entered a Report and Recommendation (Doc. #3) recommending that
19 Plaintiff's Application to Proceed *In Forma Pauperis* and Complaint (Doc. #2) be
20 dismissed with prejudice for failure to adequately amend the Complaint by February
21 16, 2009.

22 The Court has conducted a de novo review of the record in this case in
23 accordance with 28 U.S.C. § 636(b)(1)(B) and (C) and Local Rule IB 3-2 and
24 determines that Magistrate Judge Leavitt's Report and Recommendation should be
25 Affirmed.

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1 **IT IS THEREFORE ORDERED** that Plaintiff's Application to Proceed
2 *In Forma Pauperis* and Complaint (Doc. #2) is hereby DISMISSED with prejudice for
3 failure to state a cognizable claim.

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5 DATED: December 28, 2009.

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8 PHILIP M. PRO
9 United States District Judge
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